



## Legislation Details (With Text)

**File #:** 23-0016      **Version:** 1

**Type:** Consent - Staff Report      **Status:** Agenda Ready

**In control:** City Council Regular Meeting

**On agenda:** 1/17/2023      **Final action:**

**Title:** Consideration of Resolutions to Accept Agreements of Easement Dedication and Covenants and Temporary Construction Easement Deeds for Properties at 1100 and 1120 N. Sepulveda Boulevard for the Manhattan Beach Boulevard and Sepulveda Boulevard Intersection Improvement Project (Public Works Director Lee).

A) ACCEPT  
B) AUTHORIZE  
C) ADOPT RESOLUTION NOS. 23-0012 AND 23-0013

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution No. 23-0012, 2. Agreement - Irrevocable Offer of Dedication and Covenants - 1100 N. Sepulveda Boulevard, 3. Temporary Construction Easement Deed - 1100 N. Sepulveda Boulevard, 4. Resolution No. 23-0013, 5. Agreement - Irrevocable Offer of Dedication and Covenants - 1120 N. Sepulveda Boulevard, 6. Temporary Construction Easement Deed - 1120 N. Sepulveda Boulevard, 7. Resolution No. 6122

Date	Ver.	Action By	Action	Result
1/17/2023	1	City Council Regular Meeting		

**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Erick Lee, Public Works Director  
Katherine Doherty, City Engineer  
Helen Shi, Senior Civil Engineer

**SUBJECT:**

Consideration of Resolutions to Accept Agreements of Easement Dedication and Covenants and Temporary Construction Easement Deeds for Properties at 1100 and 1120 N. Sepulveda Boulevard for the Manhattan Beach Boulevard and Sepulveda Boulevard Intersection Improvement Project (Public Works Director Lee).

- A) ACCEPT  
B) AUTHORIZE  
C) ADOPT RESOLUTION NOS. 23-0012 AND 23-0013

**RECOMMENDATION:**

Staff recommends that the City Council adopt Resolution Nos. 23-0012 and 23-0013 accepting

Agreements of Easement Dedication and Covenants and Temporary Construction Easement Deeds for Properties at 1100 and 1120 N. Sepulveda Boulevard for the proposed Manhattan Beach Boulevard and Sepulveda Boulevard Intersection Improvement Project (Project):

1. Agreement Containing Irrevocable Offer of Dedication and Covenants Concerning Real Property for 1100 N. Sepulveda Boulevard, dated September 22, 2022, made by Stuart H. Sackley, Co-Trustee of The Sackley Family Trust.
2. Temporary Construction Easement Deed for 1100 N. Sepulveda Boulevard, dated September 22, 2022, made by Stuart H. Sackley, Co-Trustee of The Sackley Family Trust.
3. Agreement Containing Irrevocable Offer of Dedication and Covenants Concerning Real Property for 1120 N. Sepulveda Boulevard, dated September 20, 2022, made by Smail Nayebdadash and Nadi Nayebdadash, as Trustees of The Nayebdadash Family Trust.
4. Temporary Construction Easement Deed for 1120 N. Sepulveda Boulevard, dated September 20, 2022, made by Smail Nayebdadash and Nadi Nayebdadash, as Trustees of The Nayebdadash Family Trust.

#### **FISCAL IMPLICATIONS:**

There is no cost associated with the acceptance of these easements. However, the City will be responsible for the improvements and maintenance of the easement areas as it relates to public streets, utilities, sidewalks, and driveways, as detailed in the deeds after acceptance. There are no additional fiscal implications at this time.

#### **BACKGROUND:**

On September 1, 2015, City Council approved a \$980,000 Measure R South Bay Highway Program Funding Agreement with Los Angeles County Metropolitan Transportation Authority (Metro) for the intersection's turn movement improvements at Manhattan Beach Boulevard and Sepulveda Boulevard. The improvements include providing dual left-turn pockets in the following directions:

- Eastbound Manhattan Beach Boulevard to northbound Sepulveda Boulevard
- Northbound Sepulveda Boulevard to westbound Manhattan Beach Boulevard
- Westbound Manhattan Beach Boulevard to southbound Sepulveda Boulevard

This intersection is located in an area of the City with limited on-street parking and moderately heavy pedestrian usage. The design and subsequent construction take into account the need for the lowest possible impact on the livelihood of the residents, visitors, and business owners. There are three approved resolutions on file that contain rights-of-way dedications from the existing properties on the northwest, southwest, and southeast corners of Manhattan Beach Boulevard and Sepulveda Boulevard, which include:

- Resolution Number PC 98-33 (northwest corner)
- Resolution Number 08-13 (southwest corner)
- Resolution Number 6122 (southeast corner)

Per Resolution Number 6122 (attached), Section 2, Condition 37, an 8-foot dedication shall be provided along the entire length of Sepulveda Boulevard for the future widening of the right-of-way for an additional left-hand turn pocket for traffic traveling west onto Manhattan Beach Boulevard at the southeast corner of Manhattan Beach Boulevard and Sepulveda Boulevard. In addition, the Project is

required to provide an additional corner cut-off dedication to accommodate an Americans with Disabilities Act (ADA) compliant access ramp, pedestrian access area, and future street improvement at the corners of Manhattan Beach Boulevard and Sepulveda Boulevard, and Sepulveda Boulevard and 11<sup>th</sup> Street.

### **DISCUSSION:**

Sepulveda Boulevard is State Route 1 through the City of Manhattan Beach and therefore, Caltrans is a partner in the review and approval of this Project. The additional right-of-way was determined to be necessary during the Caltrans plan check and permitting process along the property frontage at 1100 and 1120 N. Sepulveda Boulevard.

“Property Owners,” referring to The Sackley Family Trust dated March 31, 2004 and The Nayebedadash Family Trust dated June 18, 1999, have agreed to 10-foot dedications along Sepulveda Boulevard with corner cuts at the corners of Manhattan Beach Boulevard and Sepulveda Boulevard, and 11<sup>th</sup> Street and Sepulveda Boulevard to the City at no cost, as shown in the attachments to this report entitled Agreement Containing Irrevocable Offer of Dedication and Covenants Concerning Real Property for 1100 N. Sepulveda Boulevard, and Agreement Containing Irrevocable Offer of Dedication and Covenants Concerning Real Property for 1120 N. Sepulveda Boulevard.

To facilitate the construction of the intersection’s turn movement improvements at Manhattan Beach Boulevard and Sepulveda Boulevard, the Property Owners have agreed to grant Temporary Construction Easements, attached as Temporary Construction Easement Deed for 1100 N. Sepulveda Boulevard, and Temporary Construction Easement Deed for 1120 N. Sepulveda Boulevard.

The attached Resolutions, therefore, allow the City to accept the dedications, covenants and temporary construction easements for the construction of the Project. Should the City Council approve the Agreements, then the Irrevocable Offers of Dedication and Covenants and Temporary Construction Easement Deeds will be accepted, executed and recorded with the Los Angeles County Recorder’s Office.

Following approval of the City’s acceptance of the aforementioned dedications, covenants and temporary construction easements, the City would be able to move forward with the intersection’s improvements at Manhattan Beach Boulevard and Sepulveda Boulevard.

The Project team is in the project planning process, including the proposed right-of-way acquisition of other property rights from properties at the northwest, northeast, and southwest corners of Manhattan Beach Boulevard and Sepulveda Boulevard. If agreements are reached between those property owners and the City, City staff will submit those agreements for the City Council discussion and approval.

### **PUBLIC OUTREACH:**

The proposed Project has been discussed with the property owners within and adjacent to the Project area. Dedications, Covenants and Temporary Construction Easements were agreed to by the Property Owners of 1100 and 1120 N. Sepulveda Boulevard.

This Project was discussed at September 1, 2015, January 3, 2017, August 18, 2020, and August 24, 2021, City Council meetings. Staff will continue to maintain regular communication with the Property

Owners to keep them abreast of the Project schedule and impacts during the design phase of this Project.

**ENVIRONMENTAL REVIEW:**

The City has reviewed the proposed acceptance of easement activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a “project” as defined under Section 15378 of the State CEQA Guidelines; therefore, pursuant to Section 15060(c) (3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no further environmental review is necessary.

**LEGAL REVIEW:**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

**ATTACHMENTS:**

1. Resolution No. 23-0012
2. Agreement -Irrevocable Offer of Dedication and Covenants - 1100 N. Sepulveda Boulevard
3. Temporary Construction Easement Deed - 1100 N. Sepulveda Boulevard
4. Resolution No. 23-0013
5. Agreement - Irrevocable Offer of Dedication and Covenants - 1120 N. Sepulveda Boulevard
6. Temporary Construction Easement Deed - 1120 N. Sepulveda Boulevard
7. Resolution No. 6122